

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

Nassau Life Insurance Company,

Plaintiff/Counterclaim
Defendant,

-against-

Vida Capital, Inc., and Wells Fargo Bank,
N.A., as securities intermediary for Vida
Capital, Inc.,

Defendants/Counterclaim
Plaintiffs.

Civil Action No. 1:19-cv-00104

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff, Nassau Life Insurance Company (“Nassau”), and Defendants, Vida Capital, Inc. (“Vida”) and Wells Fargo Bank, N.A., as securities intermediary for Vida (“Wells Fargo”), hereby stipulate and agree, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, that:

1. Upon the filing of this Stipulation of Dismissal With Prejudice with the Court, this lawsuit, including all of the claims asserted in this lawsuit, will immediately be discontinued and dismissed with prejudice;
2. Each party agrees to bear its own costs in connection with this lawsuit; and

3. Faxed or emailed signatures hereon shall be deemed originals for all purposes.

Dated: July 27, 2020

Respectfully submitted,

<p>MCDOWELL HETHERINGTON LLP</p> <p>By: <u>/s/ Jarrett E. Ganer</u>, Thomas F. A. Hetherington, Esq. Texas Bar No. 24007359 Jarrett E. Ganer, Esq. Texas Bar No. 24055520 Nicholas R. Lawson Texas Bar No. 24083367</p> <p>1001 Fannin Street, Suite 2700 Houston, TX 77002 Tel.: (713) 337-5580 Fax: (713) 337-8850 Tom.Hetherington@mhllp.com Jarrett.Ganer@mhllp.com Nick.Lawson@mhllp.com</p>	<p>ARENT FOX LLP</p> <p>By: <u>s/ Fanny Patel</u>. Fanny Patel, Esq. Texas Bar No. 24105916 1717 K Street NW Washington, DC 20006 Tel.: (202) 857-6000 Fax: (202) 857-6395 Fanny.patel@arentfox.com</p> <p>OF COUNSEL:</p> <p>Julius A. Rousseau, III (<i>pro hac vice</i>) James M. Westerlind (<i>pro hac vice</i>)</p> <p>ARENT FOX LLP 1301 Avenue of the Americas New York, New York 10019 Tel.: (212) 484-3900 Fax: (212) 484-3990 jule.rousseau@arentfox.com westerlind.james@arentfox.com</p>
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